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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 IVAN L. MENDEZ,) Case No. CV 11-5019-JFW (DTB)
12 Plaintiff,)
13 vs.) ORDER TO SHOW CAUSE
14 MY EX EMPLOYER, et al.,)
15 Defendants.)
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18 On July 14, 2011, the Court issued an Order Denying Plaintiff's Request to
19 Proceed Without Prepayment of Full Filing Fee and Order Dismissing Complaint
20 with Leave to Amend. As plaintiff failed to file his First Amended Complaint within
21 the time allotted, on August 4, 2011, the Court, *sua sponte*, extended plaintiff's time
22 up to and including September 2, 2011, to file his First Amended Complaint. Plaintiff
23 has failed to file his First Amended Complaint within the allotted time nor has he
24 requested an additional extension of time within which to do so.

25 The Court notes that in its Order dismissing plaintiff's Complaint, plaintiff was
26 admonished that if he failed to timely file a First Amended Complaint, the Court
27 would recommend that this action be dismissed with prejudice on the grounds set
28 forth in the dismissal order and for failure to diligently prosecute. (See Order

1 Denying Plaintiff's Request to Proceed Without Prepayment of Full Filing Fee and
2 Order Dismissing Complaint with Leave to Amend at 5.)

3 Accordingly, on or before **November 18, 2011**, petitioner is ORDERED to
4 either (a) show good cause in writing, if any exists, why plaintiff did not timely file
5 with the Court his First Amended Complaint, and why the Court should not
6 recommend that this action be dismissed, with prejudice, for failure to prosecute and
7 failure to comply with the Court's prior Order; or (b) serve and file a First Amended
8 Complaint. Plaintiff is forewarned that, if he fails to do either, the Court may deem
9 such failure a further violation of a Court order justifying dismissal, and also deem
10 such failure as further evidence of a lack of prosecution on plaintiff's part.

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12 DATED: November 1, 2011

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DAVID T. BRISTOW
UNITED STATES MAGISTRATE JUDGE